

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

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| INTERNATIONAL APPLICATION NO. PCT/JP01/05394 | INTERNATIONAL FILING DATE June 25, 2001 | PRIORITY DATE CLAIMED June 23, 2000 & February 22, 2001 |
|--|---|---|

TITLE OF INVENTION**ADAPTIVE MODULATION COMMUNICATION SYSTEM****APPLICANT(S) FOR DO/EO/US**

Mitsuru UESUGI
Osamu KATO and Toyoki UE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
- The US has been elected by the expiration of 19 months from the priority date (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - is attached hereto (required only if not communicated by the International Bureau).
 - has been communicated by the International Bureau.
 - is not required, as the application was filed in the United States Receiving Office (RO/US).
- An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - is attached hereto.
 - has been previously submitted under 35 U.S.C. 154(d)(4).
- Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - are attached hereto (required only if not communicated by the International Bureau).
 - have been communicated by the International Bureau.
 - have not been made; however, the time limit for making such amendments has NOT expired.
 - have not been made and will not be made.
- An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
- A copy of the International Preliminary Examination Report (PCT/IPEA/409).
- A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

- An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
- A substitute specification.
- A change of power of attorney and/or address letter.
- A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
- A second copy of the published international application under 35 U.S.C. 154(d)(4).
- A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- Certificate of Mailing by Express Mail
- Other items or information:

Claim for Priority with PCT/IB/304
PCT/IB/308
PCT/RO/101

ATTORNEY'S DOCKET NUMBER

L9289.02118

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/069009

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|---|---|---|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 10/069009 | INTERNATIONAL APPLICATION NO. PCT/JP01/05394 | ATTORNEY'S DOCKET NUMBER L9289.02118 |
| 24. The following fees are submitted: | | CALCULATIONS PTO USE ONLY |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : | | |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | | \$1040.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | \$890.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | | \$740.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | | \$710.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | \$100.00 |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$890.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). | | \$0.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA |
| Total claims | 12 - 20 = | 0 |
| Independent claims | 3 - 3 = | 0 |
| Multiple Dependent Claims (check if applicable). | | <input type="checkbox"/> |
| TOTAL OF ABOVE CALCULATIONS = | | \$890.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2. | | \$0.00 |
| SUBTOTAL = | | \$890.00 |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). | | \$0.00 |
| TOTAL NATIONAL FEE = | | \$890.00 |
| <input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). | | <input checked="" type="checkbox"/> \$40.00 |
| TOTAL FEES ENCLOSED = | | \$930.00 |
| | | Amount to be: refunded _____ charged _____ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$930.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4375 A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | |
| SEND ALL CORRESPONDENCE TO: | | |
| James E. Ledbetter, Esq. STEVENS, DAVIS, MILLER & MOSHER, LLP 1615 L Street, NW, Suite 850 Washington, DC 20036 Tel.: (202) 785-0100 Fax: (202) 408-5200 | | |
|  24257 <small>PATENT TRADEMARK OFFICE</small> | | |
|  SIGNATURE James E. Ledbetter NAME 28,732 REGISTRATION NUMBER February 20, 2002 DATE | | |